IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.A.ABDUL GAFOOR
&
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

RCRev..No. 41 of 2007()

RCA.21/2005 of DISTRICT JUDGE,KOLLAM
RCOP.27/2002 of ADDL.MUNSIFF COURT, KOLLAM
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APPELLANT/APPELLANT/RESPONDENT

V.CHELLAPPAN PILLAI, S/O. VELAYUDHAN PILLAI, M.C.NO.XVII/1435 (NEW M.C.NO.K.C. XVII/ 2162, PROVISION STORE, MUKKADA BAZAR, KOLLAM.

BY ADV. SRI.RAJA VIJAYARAGHAVAN
SRI.M.T.SURESHKUMAR

RESPONDENT: RESPONDENT/PETITIONER

JAGADAMBAL, D/O. PAPPAMMAL, SRINIVASA NILAYAM, PALLITHOTTAM P.O., PALLITHOTTAM CHERRY, KOLLAM VILLAGE.

THIS RENT CONTROL REVISION HAVING COME UP FOR ADMISSION ON 06/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.A.ABDUL GAFOOR & K.R.UDAYABHANU, JJ

R.C.R. No.41 of 2007

Dated this the 6th day of February, 2007

ORDER

UDAYABHANU, J

Revision Petitioner is the tenant and vide the concurrent findings of the courts below under orders of eviction under Section 11(3) of the Kerala Buildings (Lease and Rent Control) Act, 1965. At the time of admission, the caveator/landlord entered appearance. The landlord has submitted that she is willing to provide a shop room to the revision petitioner/tenant in her newly constructed premises. The petition schedule shop room along with two other shop rooms were sought to be vacated for demolishing the same to have a proper access to the new shopping complex constructed on the rear side of the present building. The court below have found that the bonafide need set up stood established. The offer of the landlord is acceptable to the revision petitioner/tenant as stated by the counsel for the revision petitioner and he finds that there is no

need of reconsideration of the orders. The revision petition is disposed of recording the undertaking of the landlord that a premises in the newly constructed shopping complex will be given to revision petitioner/tenant on terms same as with respect to the newly inducted tenants. The vacant possession of the premises shall be given within two months from today.

This Revision Petition is disposed of accordingly.

K.A.ABDUL GAFOOR, J

K.R.UDAYABHANU, J

csl